

REMARKS

Amendments to Claims

In order to clarify the claimed invention, Applicants are amending independent Claims 21, 76, 91 and 92 and adding new dependent Claims 97-100. For example, independent Claims 21, 76, 91 and 92 have been amended to change “leveling film” to “organic resin film.” This feature is supported by, for example, Embodiment 1 at page 12, lines 7-9; Embodiment 2 at page 14, lines 10-12; page 8, line 15 - page 9, line 8; and Figs. 1A-1C, 2A-2C and 4A-4B of the present application. Applicants are now reciting the feature that “said organic resin film is a leveling film” in new dependent Claims 97-100 (see e.g. page 12, lines 3-10 and page 14, lines 10-12 of the present application).

Applicants are also amending independent Claim 91 to recite “wherein said opposing electrode is interposed between said liquid crystal and said organic resin film.” This feature is shown throughout the present application, such as for example, at page 8, line 15 – page 9, line 8; and Figs. 4A and 4B. See also e.g., Embodiment 4 and in particular page 28, line 13 – page 29, line 5; Embodiment 6 and in particular page 33, line 15 – page 34, line 6; Embodiment 7 and in particular page 35, line 19 – page 36, line 10; Embodiment 8 and in particular page 37, line 12 – page 38, line 1; and Figs. 10, 15 and 16. This amendment should clarify the claimed relationship between the opposing electrode, the liquid crystal and the organic resin film.

As each of these amendments is clearly supported by the application as filed, no new matter is being added. Therefore, it is respectfully requested that these amendments be entered and allowed.

Applicants will now address the Examiner’s sole remaining rejection in the Office Action.

Claim Rejections - 35 USC §102

In the Office Action, the Examiner rejects Claims 21-24, 76, 77 and 85-96 under 35 USC §102(e) as being anticipated by Yamazaki et al. (US 7,023,021). This rejection is respectfully traversed.

It is respectfully submitted that Yamazaki is not prior art to the present application.

More specifically, Yamazaki issued on April 4, 2006 based on a U.S. filing date of February 2, 2001.

The present application claims priority under 35 USC §119 of Japanese patent application serial number 2000-140960 filed May 12, 2000 in Japan. A certified copy of this priority Japanese application was filed May 3, 2001 with the filing of this U.S. application. Applicants are preparing a verified English translation of Japanese patent application serial number 2000-140960 and will submit it as soon as it is finished.

Hence, as the §119 priority filing date of the present application is prior to the U.S. filing date of Yamazaki, Yamazaki is not prior art to the present application.

Accordingly, it is respectfully requested that this rejection be withdrawn.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee should be due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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